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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Joachim FENSTERLE, et al.  
SERIAL NO.: NEW U.S. PCT APPLICATION  
FILED: HERewith  
INTERNATIONAL APPLICATION NO.: PCT/DE04/01178  
INTERNATIONAL FILING DATE: June 7, 2004  
FOR: CELLS USED AS CARRIERS FOR BACTERIA

**REQUEST FOR CONSIDERATION OF DOCUMENTS**  
**CITED IN INTERNATIONAL SEARCH REPORT**

Commissioner for Patents  
Alexandria, Virginia 22313

Sir:

In the matter of the above-identified application for patent, notice is hereby given that applicant(s) request that the Examiner consider the documents cited in the International Search Report according to MPEP §609 and so indicate by a statement in the first Office Action that the information has been considered. When the Form PCT/DO/EO/903 indicates both the search report and copies of the documents are present in the national stage file, there is no requirement for the applicant(s) to submit them (1156 O.G. 91 November 23, 1993).

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Norman F. Oblon  
Attorney of Record  
Registration No. 24,618  
Surinder Sachar  
Registration No. 34,423

Customer Number  
**22850**

(703) 413-3000  
Fax No. (703) 413-2220  
(OSMMN 08/03)

## INTERNATIONAL SEARCH REPORT

International Application No.

PCT/DE2004/001178

A. CLASSIFICATION OF SUBJECT MATTER  
IPC 7 A61K39/112 A61K39/02

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)  
IPC 7 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, BIOSIS, EMBASE, WPI Data, PASCAL, CHEM ABS Data

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 02/083879 A (ALIMENTARY HEALTH LTD ; O'MAHONY LIAM (IE); COLLINS JOHN KEVIN (IE)) 24 October 2002 (2002-10-24)	1-4,9-18
Y	page 15, lines 16-20; claims 12,28,29; example 6	5-8
X	US 2002/136738 A1 (AGREWALA JAVED NAIM ET AL) 26 September 2002 (2002-09-26) claim 4; example 3	1-4
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☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

## \* Special categories of cited documents :

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
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- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

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\*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

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\*G\* document member of the same patent family

Date of the actual completion of the international search

22 October 2004

Date of mailing of the international search report

02/11/2004

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  
Fax: (+31-70) 340-3016

Authorized officer

Lanzrein, M

# INTERNATIONAL SEARCH REPORT

International Application No  
PCT/DE2004/001178

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	PAN Z-K ET AL: "REGRESSION OF ESTABLISHED B16F10 MELANOMA WITH A RECOMBINANT LISTERIA MONOCYTOGENES VACCINE" CANCER RESEARCH, AMERICAN ASSOCIATION FOR CANCER RESEARCH, BALTIMORE, MD, US, vol. 59, no. 20, 1999, pages 5264-5269, XP000887367 ISSN: 0008-5472 figure 2; table 2	5-8
Y	PAWELEK J M ET AL: "TUMOR-TARGETED SALMONELLA AS A NOVEL ANTICANCER VECTOR" CANCER RESEARCH, AMERICAN ASSOCIATION FOR CANCER RESEARCH, BALTIMORE, MD, US, vol. 57, October 1997 (1997-10), pages 4537-4544, XP002939099 ISSN: 0008-5472 figures 1,2,5	5-8

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/DE2004/001178

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 02083879	A	24-10-2002	EP 1373475 A2	02-01-2004
			WO 02083879 A2	24-10-2002
			IE 20020243 A1	11-06-2003
			US 2002141977 A1	03-10-2002
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US 2002136738	A1	26-09-2002	NONE	
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